

EXHIBIT GG

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION

CARYN DEVINS STRICKLAND,

Plaintiff,

v. Civil No.: 1:20-cv-00066-WGY

UNITED STATES, et al.,

Defendants.

VIDEOTAPED

DEPOSITION OF: ANTHONY MARTINEZ

TAKEN: By Counsel for Plaintiff

DATE: April 28, 2023

TIME: 9:00 a.m. - 5:41 p.m.

PLACE: Constangy, Brooks, Smith &
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REPORTED BY: Sarah Parker
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1 remained in that job, there was no other thing that
2 needed to be done; is that right?

3 A. Correct.

4 Q. I see.

5 A. Correct.

6 Q. Did you interview people for the job or
7 consider other candidates?

8 A. No. No, I didn't open it up. I considered
9 everybody in private, but not like I interviewed. I
10 conducted individual interviews with people just to
11 see where they were at in terms of the office and
12 stuff like that. So it's sort of like I'm checking
13 them out, but --

14 Q. Right. So JP, as the first assistant,
15 was -- had a role, had a role in the personnel
16 manual?

17 A. Yes, in drafting it, yes.

18 Q. In drafting it?

19 A. Yes.

20 Q. Was he the primary?

21 A. No, there was no primary. It was -- I
22 don't know how he was involved. He was involved; it
23 might have been one or two other people. I think
24 Bill might have been involved. I don't recall.

25 Q. Yeah. So just for me to understand the

1 first assistant's job duties as opposed to the
2 defender's job duties --

3 A. Yes.

4 Q. -- did you delegate a lot of things to the
5 first assistant?

6 A. I delegated some things, I wouldn't say a
7 lot. I try to spread it out, but basically, so you
8 understand, he supervises the whole office, also.
9 Like he's technically a supervisor for the whole
10 office.

11 Q. The whole office, meaning Charlotte and
12 Asheville, or just Charlotte?

13 A. Yeah, yeah.

14 Q. So he supervises the entire FDO at both
15 locations?

16 A. Yes, yes. Now, he can -- I'm the only one
17 that can promote, demote, fire, terminate, things of
18 that nature. But he's a supervisor, so you only get
19 so many supervisors -- I don't mean you, I meant as a
20 defender -- based on the number of AFPDs you have, so
21 I believe.

22 Q. And please correct me if I'm not using the
23 right lingo or terms --

24 A. No problem.

25 Q. -- because I just want to get it right.

1 You said you created trial teams?

2 A. Yes, ma'am.

3 Q. And are those same as trial units, or is
4 that a different thing? I'm just trying to
5 understand when I see language about the office, that
6 I'm getting the structure of it right.

7 A. Okay. So I think when you heard trial
8 unit, they're talking about, you know, the whole
9 unit, which has teams in it.

10 Q. The whole unit?

11 A. Right.

12 Q. So would there be one unit then for trial?

13 A. Yeah, so you have one, but then you have
14 divisions, right? So you have offices, so I had an
15 Asheville division.

16 Q. Of the trial unit?

17 A. Correct.

18 Q. Okay. Got it.

19 A. Correct. But then I had appellate
20 attorneys there of the appellate unit.

21 Q. And was it only trial and appellate units,
22 or were there other units?

23 A. There is a trial unit, appellate unit, and
24 admin.

25 Q. Admin. And admin was what it sounds like?

1 A. IT, yeah, IT, administrative officer.

2 Q. Got it. And did you say Bill Moorman was
3 head of that admin unit?

4 A. Bill Moorman was, I would say, I would say
5 probably head; you could probably say head. Yes,
6 ma'am.

7 Q. Okay. So did JP oversee the trial unit?

8 A. He oversees the whole office, as I
9 indicated.

10 Q. Oh. So does he oversee all of the units
11 then?

12 A. Yes.

13 Q. He oversaw all of the units?

14 A. Right.

15 Q. Appellate as well?

16 A. Yes, ma'am.

17 Q. So -- and what specific duties did
18 overseeing the trial unit entail?

19 A. General supervision. It could be referring
20 a person to me for discipline action or it could be a
21 multitude of general supervisory things.

22 Q. So referring someone to you for
23 disciplinary action?

24 A. Yeah. If he observes or hears of something
25 that requires my looking into it, then I would look

1 into it.

2 Q. Right.

3 A. Just general supervisory.

4 Q. Right. And when you say discipline action,
5 what do you mean by that?

6 A. Any employee discipline actions. He's a
7 supervisor, so he supervises also.

8 Q. Right.

9 A. Yeah. If someone is lacking for whatever
10 reason, if someone -- just general supervisory.

11 Q. Okay. So is it fair to say JP, as first
12 assistant, supervised all employees at the FDO except
13 for you?

14 A. Yes, ma'am.

15 Q. And was he the only one who supervised all
16 of those employees?

17 A. Other than me.

18 Q. Other than you?

19 A. Yes, ma'am.

20 Q. So it's you supervise everyone.

21 A. Yes, ma'am.

22 Q. And then he supervises everyone else, not
23 you?

24 A. Correct.

25 Q. Okay. Got it. And so trial, appellate,

1 and administrative?

2 A. Yes, ma'am.

3 Q. So how often would you and JP communicate
4 while you were at -- while you were the federal
5 defender?

6 A. Often.

7 Q. Like daily?

8 A. Daily for sure.

9 Q. Several times a day?

10 A. Several times a day, for sure.

11 Q. And was it in person?

12 A. Yes.

13 Q. Also by e-mail?

14 A. Yes, ma'am.

15 Q. Texting?

16 A. Yes, ma'am.

17 Q. And did you consider him a friend?

18 A. I don't use -- I don't use -- I don't use
19 that word in relation to my employees, necessarily.
20 We had a friendly relationship, but I have friends
21 and then I have my employees, so --

22 Q. Yeah. Did you socialize with him outside
23 of work?

24 A. Occasionally.

25 Q. In what?

1 A. Very seldom. Usually -- like usually
2 celebratory, where, you know, as defenders, we're
3 always losing cases; so whenever we get a suppression
4 motion and the judge grants a suppression motion, the
5 evidence gets suppressed, let's have a few beers and
6 let's celebrate type of scenario, but never other
7 than that, really. It was always celebratory with
8 other people, but him and I would not socialize other
9 than in that scenario.

10 Q. Did you have confidence in JP Davis as your
11 first assistant?

12 A. Yes.

13 Q. Did you trust his judgment?

14 A. Yes.

15 Q. Did you ever have reason to doubt that he
16 behaved appropriately at work?

17 A. To doubt that he behaved -- I never
18 doubted.

19 Q. You never doubted that he behaved
20 appropriately at work. Okay. And to your knowledge
21 has he ever been the subject of complaints about his
22 conduct prior to Ms. Strickland's allegations?

23 A. No complaints. I mean, I'm just thinking
24 about some people maybe didn't like his style
25 sometimes, generally speaking, but nothing where it